

FORM PTO-1390 REV. 2/01T U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER 03715.0139 U.S. APPLICATION NO. (If known, see 37CFR1.5)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		10/501738
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/IB02/05698	December 6, 2002	December 6, 2001
TITLE OF INVENTION USE OF CD34+ HEMATOPOIETIC PROGENITOR CELLS FOR THE TREATMENT OF CNS DISORDERS		
APPLICANT(S) FOR DO/EO/US Nathalie CARTIER-LACAVE, Patrick AUBOURG, Muriel ASHUEUR, Sonia BENHAMIDA, and Françoise PFLUMIO		
Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed with the United States Receiving Office (RO/US). <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4). <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input checked="" type="checkbox"/> Annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> Information Disclosure Statement under 37 CFR 1.97 and 1.98</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A Substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> Copy of cover page of International Publication No. WO 03/047635 A1 b. <input checked="" type="checkbox"/> Petition to Revive - Unintentional, with \$1330.00 petition fee c. <input checked="" type="checkbox"/> Request for Substitution of Replacements Sheets </p>		

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21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00			
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00			
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) \$100.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =			
\$920.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30			
\$130.00			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	41	- 20 =	21
			x \$18.00
Independent Claims	4	-3 =	1
			x \$86.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$290.00
			\$290.00
TOTAL OF THE ABOVE CALCULATIONS =			\$1804.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.			\$
SUBTOTAL =			\$1804.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30			\$
TOTAL NATIONAL FEE =			\$1804.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.			\$40.00
TOTAL FEES ENCLOSED =			\$1844.00
			Amount to be refunded:
			charged:
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1844.00</u> to cover the above fees is enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed.			
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, D.C. 20005-3315			
 SIGNATURE Ernest F. Chapman No. 25,961 NAME/REGISTRATION NO.			
DATED: July 16, 2004			

10/501738

DT Rec'd PCT/PTO 16 JUL 2004

PCT/IB02/05698

Nathalie CARTIER-LACAVE et al.
Attorney Docket No. 03715.0139

ANNEXES TO THE
PRELIMINARY EXAMINATION REPORT
(ARTICLE 34 AMENDMENTS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR SUBSTITUTION OF REPLACEMENT SHEETS

Please substitute the attached replacement sheets 61-63 of the claims containing the Article 34 Amendments for pages 61-63 of the claims in the enclosed as-filed PCT application. It is respectfully requested that the claims in the replacement sheets be examined during examination of the patent application. Claims 1-20 are currently pending.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 16, 2004

By:



Ernest F. Chapman
Reg. No. 25,961

EFC/FPD/gah